

OCT 18 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3723
Examiner: Anthony Eziamara Ojini
Confirmation No.: 2562

In Re PATENT APPLICATION Of:

Appellant(s): Patrick Michael McCaffrey et al.

Serial No.: 09/840,077

Filed: April 24, 2001

For: **POWDER FOR DISKS**

Docket No.: IBM-204

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)
)
) SECOND
) AMENDMENT
) AFTER FINAL

October 18, 2006

MAIL STOP NON-FEE AMENDMENT AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is in response to the Final Official Action mailed on June 26, 2006 and the Advisory Action mailed on October 12, 2006. Payment for one month's extension of time was already paid with the Amendment of October 2, 2006, so no fee is now due. However, please charge our Deposit Account No. 18-0002 if any fees are needed to enter this paper, and please advise us accordingly. It is noted that no petition is required because of the authorization to charge, but this paper is a petition for extension of time if needed. Therefore entry is proper.

The October 2 Amendment was refused entry on the basis of new issues. The presently-requested amendment does not raise any new issue; this is explained in the Remarks below. Reconsideration is requested.